

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRACEY L. BROWN,
Plaintiff,

vs.

ROBERT MARTINEZ, *et al.*,
Defendants.

Case No. 2:12-cv-00173-JCM-GWF

ORDER

Amended Complaint (#10)

This matter comes before the Court on Plaintiff's Amended Complaint (#10), filed on April 3, 2012 and Plaintiff's Supplement to Amended Complaint (#11), filed on April 9, 2012. On March 19, 2012, the Court granted Plaintiff's Application to Proceed In Forma Pauperis, but dismissed without prejudice Plaintiff's complaint granting him leave to amend. (*See* #5.) Upon amendment, the Court instructed Plaintiff to provide more information concerning the status of Plaintiff's underlying state case. The Court also cautioned Plaintiff that his amended complaint must be complete in itself, and the Court will not refer to prior pleadings.

Plaintiff's Amended Complaint (#10) is improper for several reasons. Initially, the Court notes that neither Plaintiff's Amended Complaint (#10) nor his Supplement to Amended Complaint (#11) are filed on the civil rights complaint form issued by the Court. Local Rule 215 requires the use of the civil rights complaint form by anyone not represented by counsel. Further, Plaintiff did not lay out his causes of action, as he did in his original Complaint (#1-1). Rather, Plaintiff's Amended Complaint (#10) reads more like a letter to the Court. Plaintiff's Amended Complaint also fails to individually list the defendants in this action. It appears Plaintiff attempted to cure this ...

1 deficiency by filing his Supplement to Amended Complaint (#11), which includes state court
2 documents that list the witnesses called by the state in Plaintiff's state case. This is improper.

3 In light of the above, the Court will again dismiss Plaintiff's case without prejudice and
4 grant him leave to amend. The Court cautions that this is the last opportunity the Court will grant
5 Plaintiff to submit a proper amended complaint. If Plaintiff attempts to file another amended
6 complaint, Plaintiff must file the complaint on the civil rights complaint form provided by the
7 Court. Further, the amended complaint must be complete in itself. It cannot refer to any prior
8 pleading or document, and the Court will not accept any supplemental documentation after the
9 amended complaint is filed. Accordingly,

10 **IT IS HEREBY ORDERED** that Plaintiff's Amended Complaint (#10) is **dismissed**
11 without prejudice with leave to amend. Plaintiff shall have until **May 4, 2012** to file a complete
12 amended complaint.

13 **IT IS FURTHER ORDERED** that Plaintiff's Supplement to Amended Complaint (#11)
14 be **stricken** from the docket.

15 **IT IS FURTHER ORDERED** that the Clerk of Court shall send Plaintiff a blank civil
16 rights complaint form with a copy of this order.

17 DATED this 16th day of April, 2012.

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20 GEORGE FOLEY, JR.
21 United States Magistrate Judge
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